

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

DANIEL ROSARIO-GONZALEZ

Plaintiff

vs

CIVIL 08-1837CCC

WILFREDO ROSARIO-GONZALEZ
GUSTAVO REYES
IVAN ROSARIO-GONZALEZ
ZENaida PULIDO
EDWIN ROSARIO-GONZALEZ

Defendants

OPINION AND ORDER

The pro-se action before us is of vague jurisdictional and statutory source. Plaintiff Daniel Rosario-González' Amended Detailed Complaint Motion,¹ filed November 20, 2008 (**docket entry 11**), states, as a basis for federal jurisdiction: "Violation of Plaintiff's Constitutional Rights," "Violations of David Rosario Rosado Constitutional Rights," "Violations of United States of America Laws," "Federal Question Case," and "Diversity Case." With regard to the "Claim," he repeats the items listed for federal jurisdiction. The record also contains ten informative motions (**docket entries 6, 7, 9, 10, 14, 16 and 17**)² from plaintiff which, although submitted in English,³ are unintelligible. Related to these documents are the following motions:

Defendant Wilfredo Rosario-González' Special Appearance Requesting Dismissal of the Complaint Pursuant to F.R.Cv.P. 12(b)(1) filed October 14, 2008 (**docket entry 5**). Inasmuch as it addresses the original complaint, is DENIED.

¹ The original complaint filed October 14, 2008 was submitted in Spanish, without a translation.

² The Informative Motions (**6, 7, 9, 10, 14, 16 and 17**) are NOTED.

³ Docket entries 7, 9, and 13 are accompanied by attachments in Spanish with no translations.

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Plaintiff's Solicitation Motion requesting access to view and obtain copies through the EM/ECF (**docket entry 15**) is NOTED. There is public access to the system in the Office of the Clerk of Court.

Plaintiff's Solicitation Motion filed December 1, 2008 (**docket entry 18**) requesting that the Court order Banco Bilbao Viscaya Argentaria, Pentagon Federal Credit Union, Oficina de la Persona de Edad Avanzada/Asuntos de la Vejez, Departamento de la Familia-Oficina de Levittown Lakes, to release to him "all videos, all call transcripts and all sorts of documentation that are in their power...." (page2, ¶1), is DENIED.

Plaintiff's Solicitation Motion filed December 12, 2008 (**docket entries 19**) requesting "Judgment By Default" against unspecified defendants is STRICKEN.

Plaintiff's Solicitation Motion filed December 30, 2008 (**docket entries 20**) requesting "Judgment By Default" against Iván Rosario González and Zenaida Pulido is DENIED.

Plaintiff's Judgment by Default Demand Motion filed January 12, 2009 (**docket entry 21**) requesting "Judgment By Default" against Iván Rosario González and Zenaida Pulido is DENIED.

While pro-se pleadings are to be liberally construed in favor of the pro se party, Ayala Serrano v. Lebrón González, 909 F.2d 8, 12 (1st Cir. 1990), plaintiff's amended complaint contains no specifics for the Court to construe. Therefore, plaintiff is granted until March 24, 2009 in which to file a final Amended Complaint, in English, printed in standard size type, in which the specific source of jurisdiction is set forth, as well as the parties and the specific facts and events on which he bases his claims. The claims shall be identified individually, with the particular statute pursuant to which they are brought, and the party against whom the specific claim is made. Failure to timely file the second amended complaint will result in dismissal of the complaint for failure to state a claim under Fed.R.Cv.P. 12(b)(6).

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It is hereby ORDERED that plaintiff Daniel Rosario González shall not file any further motions until such time as the Court has reviewed his final amended complaint for compliance with this Order, after which the stay of further filings shall be lifted.

The Clerk of Court shall send a copy of this Order to plaintiff Daniel Rosario-González by certified mail, return receipt requested, to the following address: Daniel Rosario-González, BH 4 Dr. José Antonio Dávila, Quinta Sección, Levittown Lakes, Toa Baja, Puerto Rico, 00949.

SO ORDERED.

At San Juan, Puerto Rico, on February 18, 2009.

S/CARMEN CONSUELO CEREZO
United States District Judge